

## **REMARKS**

Claims 1-5 are pending in the present application with claim 1 being the independent claim.

### ***Claim Rejections – 35 U.S.C. § 101***

Claims 1 – 5 stand rejected under 35 U.S.C. § 101. Independent Claim 1 has been amended to more clearly point out that the method is computer-implemented and to recite the outputting of a signal indicative of the characterization of the behavior of the multi-dimensional system.

Applicants respectfully submit that Claim 1, as amended, fully addresses the rejection under § 101. Claims 2 – 5 depend either directly or indirectly from claim 1 and, therefore, Applicants submit that the amendment to Claim 1 fully addresses the rejection under § 101 of Claims 2 - 5.

Applicants request that the Examine reconsider the rejections of Claims 1 – 5 under 35 U.S.C. § 101.

### ***Claim Rejections – 35 U.S.C. § 102***

Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Hively et al., U.S. Patent No. 6,484,132 (“Hively”). The recitations of Claim 1 include:

*generating a multi-dimensional signal for each of a plurality of channels associated with the multi-dimensional system;*  
*generating multiple dynamical profiles for each channel . . .*  
*for a group of channels, generating a number of statistical measures, wherein each of the statistical measures reflects a correlation level between corresponding dynamical profiles . . .*  
*generating a statistical measure for the channel group,*

(emphasis added).

The cited reference, Hively, discloses analyzing data *from a single channel*. The first passage cited in the Office Action, Hively col. 3, lines 5-20, discusses cutsets formed from g-data. The first step in obtaining the g-data is described as: “A channel of nonlinear data from the process or system is provided.” (Hively, col. 2, lines 61-62.) The data from that single channel is manipulated to form e-data from which f-data and, finally, g-data are derived.

Hively discloses using time-delayed or otherwise shifted data **from a single channel**.

For example, another cited passage states:

Q denotes one set of data measurements,  $q_1, q_2, \dots, q_n$ , with associated probabilities  $P_Q(q_1), P_Q(q_2), \dots, P_Q(q_n)$ . R denotes a second set of data measurements  $r_1, r_2, \dots, r_n$ , with a time delay relative to the  $q_i$  values ...

(Hively, col. 7, lines 9-12, emphasis added.) Hively discusses performing analysis, such as determining a correlation dimension, for these shifted values from a single channel.

Example 3 of Hively is illustrative. Although multiple channels of data are obtained, only one channel is used in the analysis disclosed by Hively.

The invention has been demonstrated using sixteen-channel, analog scalp data in the bipolar montage from archival VHS tapes [27]. **Only one channel** (channel 13, closest to the patient's right eye) **is used**.

(Hively, col. 12, lines 21-24, emphasis added.)

These data have 23-32 channels with monitoring periods of 2,217-20,000 seconds. The clinical seizures begin at times that range over 1,930-15,750 seconds. **Only one clinically designated channel was examined in each of these eleven datasets**, as shown in Table 1.

(Hively, col. 12, lines 34-39, emphasis added.)

Finally, Hively states: “**the method of this invention uses only one channel** of scalp EEG data...” (Hively, col. 16, lines 37-38, emphasis added.)

Applicants respectfully submit that Hively does not disclose “generating multiple dynamical profiles for each channel” in a plurality of channels, or “for a group of channels, generating a number of statistical measures,” or “generating a statistical measure for the channel group” as recited in Claim 1 of the Application.

For at least the reasons explained above, Applicants respectfully submit that the cited reference does not teach the recitations of Claim 1, and thus, Claim 1 is patentably defined over the cited art. Accordingly, Applicants respectfully request that the examiner reconsider the rejection of Claim 1 in view of the above.

Because Claims 2 – 5 depend, either directly or indirectly, Applicants respectfully submit that they are patentably defined over the cited art for at least the reasons presented

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with regard to Claim 1. Accordingly, Applicants respectfully request that the examiner reconsider the rejection of Claims 2 – 5 in view of the above.

**CONCLUSION**

Claims 1 – 5 are pending in the Application. Early consideration and allowance of the claims pending in the Application is respectfully requested.

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